



## **Evaluation of the Justice Partnership and Innovation Program**

### **Final report**

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The information herein is still to be reviewed/verified  
by Justice Canada**

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## 1.0 Introduction

This report presents the results of the Evaluation of the Justice Partnership and Innovation Program (JPIP or “the Program”). The evaluation was conducted to meet the requirements of the Treasury Board of Canada’s 2009 *Policy on Evaluation*, which requires departments to evaluate all direct program spending on a five-year cycle.<sup>1</sup> The Evaluation Division of the Department of Justice (the Department) led the evaluation.

### 1.1 Scope and objectives of the evaluation

The evaluation was conducted in accordance with the evaluation strategy as described in the JPIP’s Performance Measurement Strategy and which outlined the evaluation issues and questions to address, the data sources, and methods. The evaluation covered fiscal years 2012-13 to 2016-17.<sup>2</sup> The evaluation approach and methodologies supported the assessment of the five following core evaluation issues for relevance and performance as outlined in the 2009 Treasury Board Secretariat *Directive on the Evaluation Function*:

#### Relevance:

- ▶ Issue 1: Continued need for Program
- ▶ Issue 2: Alignment with government priorities
- ▶ Issue 3: Alignment with federal roles and responsibilities

#### Performance:

- ▶ Issue 4: Achievement of expected outcomes
- ▶ Issue 5: Demonstration of efficiency and economy

The evaluation matrix and its associated questions, indicators, and data sources guided the evaluation; achievement of expected outcomes questions were defined by the JPIP logic model. The Evaluation Division (ED) is leading the evaluation, and will be assisted by an Evaluation Working Group (EWG). The methodology report was informed by an initial meeting with the ED, as well as a preliminary review of JPIP-related documents and files.

As well, the JPIP evaluation incorporated evaluating the Public Legal Education and Information (PLEI) component of the Access to Justice Services Agreements (AJAs) between Canada and the three northern territories (Yukon, Northwest Territories, and Nunavut). The AJAs “are the means by which the Government of Canada financially supports the delivery of access to justice services in northern communities, including: legal aid (both criminal and civil), Aboriginal courtwork services and public legal education and information” (Department of Justice, 2016a).

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<sup>1</sup> The 2009 Policy on Evaluation was rescinded in April, 2016 and replaced with the Policy on Results. However, this evaluation was initiative prior to this change, plus the Policy on Results also outlines requirements for evaluations on a five year cycle.

<sup>2</sup> While it was recognized that results information would not be available for those JPIP initiatives conducted during 2016-17, including the most recent fiscal year allowed for obtaining input from stakeholders whose projects continued into 2016-17, such as through the applicant survey.

## 2.0 Profile of the JPIP

The JPIP is a discretionary grants and contributions program that funds initiatives for the purpose of assisting the Department of Justice in a number of its priority areas for supporting the Department in its goals towards an accessible, efficient, and fair system of justice. The JPIP is delivered and managed by the Innovations, Analysis, and Integration Directorate of the Departments' Programs Branch.

### 2.1 Overview and program objectives

The overall objective of the JPIP is to support the policy directions of the Department on issues related to access to justice, family violence, missing and murdered Indigenous women/violence against Indigenous women, and the harmonization of private international law. As such, the program provides funding in support of stimulating knowledge development and dissemination, promoting partnerships building and collaborations, and building community capacity (Department of Justice, 2015a).

The specific objectives of the JPIP are to:

- ▶ promote the equitable representation of Métis and Non-Status Indians in the legal system by encouraging them to pursue their studies in law;
- ▶ promote and encourage involvement in the identification of emerging trends, issues, and/or gaps and possible responses with respect to the justice system;
- ▶ build knowledge, awareness, and understanding among justice stakeholders and/or the public concerning justice issues including access to justice, racism, official languages, anti-terrorism, sentencing, and other emerging justice issues, including justice-related issues in the international fora;
- ▶ provide operational funding to the International Centre for Criminal Law Reform and Criminal Justice Policy;
- ▶ strengthen the justice system's response to family violence;
- ▶ promote continued public awareness of family violence and public involvement in the response to family violence;
- ▶ reduce the vulnerability of young Aboriginal women to violence through the development of models and programs to empower Aboriginal women, and the development of resources and tools to provide Aboriginal women with alternatives to risky behaviour; and
- ▶ enable Canada to meet its financial obligations and fulfill its international policy objectives by participating in the work of the Hague Conference on Private International Law (HCCH) and the International Institute for the Unification of Private Law (UNIDROIT) (Department of Justice, 2015a).

## 2.2 Program components

The JPIP funding to support these objectives is allocated through four sub-activities:

- ▶ Operational funding in the form of grants that are provided to specific organizations on an annual basis and which includes several categories of initiatives as follows:
  - Named grants to five selected organizations
  - Core funding to 10 provincial public legal education and information organization (PLEI)
  - Core funding to the International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR)
- ▶ Annual educational funding to support Métis and non-status Indians in their post secondary educational pursuits in law studies
- ▶ Annual funding to meet Canada's assessed contributions for its memberships in the HCCH and UNIDROIT
- ▶ Project specific contribution funding to non-governmental organizations (NGOs) conducting activities/initiatives related to the priority areas of the JPIP with respect to access to justice, family violence, and murdered and missing Indigenous women and girls/violence against Indigenous women and girls.

### 2.2.1 Operational funding

**Named grants:** Named grant organizations receiving annually JPIP grant funding include the following:

- ▶ Canadian Association of Chiefs of Police (CACP)
  - The Law Amendment Committee of the CACP consults with other justice stakeholders in the criminal justice fields, and provides advice and input to the Department on matters related to criminal justice policy, legislative initiatives, and possible amendments to the law
- ▶ Canadian Association of Provincial Court Judges (CAPCJ)
  - The CAPCJ takes part in a number of activities to ensure a responsive justice system including, for example, those related to law reform, judicial independence of the courts, acting as an educational body and disseminator of information for judges across Canada, as well as providing advice to governments and other bodies with respect to law reformation.
- ▶ Canadian Society of Forensic Science (CSFS)
  - The CSFS maintains professional standards for forensic science and, among other things, serves as an advisory body to the Department on matters related to alcohol and breath analysis, as well as policy related to drugs and driving.
- ▶ National Judicial Institute (NJI)

- The NJI develops and delivers educational programs to federal, provincial, and territorial judges focussing on three main areas including substantive law, skills training, and social context issues, and thereby contributing to improved administration of justice across Canada.
- ▶ Uniform Law Conference of Canada (ULCC)
  - The ULCC works to: harmonize the laws between provinces and territories, as well as with federal law, as relevant; identify where changes are needed in federal criminal legislation and makes appropriate recommendations to the federal government; harmonize Canadian commercial law.

**PLEI organizations:** JPIP provides core funding annually to 10 PLEI organizations across Canada (one per province).<sup>3</sup> PLEI materials and activities provided by these organizations assist the public in understanding the law, their rights and obligations, the Canadian justice system, and how they might deal with their legal matter.

**International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR):** JPIP also provides core annual funding to the ICCLR, an international organization that “promotes the rule of law, democracy, human rights, and good governance in criminal law and the administration of criminal justice, domestically, regionally and globally” (International Centre for Criminal Law Reform and Criminal Justice Policy, n.d.). It does this through research, development of tools, materials, programs, and policy advice, as well as looking for ways for international cooperation in areas of criminal law reform and criminal justice.

## 2.2.2 Educational funding

Educational funding for the Legal Studies for Aboriginal People (LSAP) is administered through Indspire, an Indigenous-led NGO that delivers bursaries, scholarships, and awards programs to assist Indigenous students in their post-secondary studies. The JPIP funding is delivered through the Legal Studies for Aboriginal People (LSAP) component of Indspire’s Building Brighter Futures: Bursaries, Scholarships, and Awards Program (Indspire, n.d.). Métis and non-status First Nations students pursuing a law program are eligible for JPIP financial assistance.

## 2.2.3 Funding to HCCH and UNIDROIT

Canada pays an annual assessed contribution as a component of its membership in both the HCCH and UNIDROIT; the JPIP funding provides the annual assessed contribution amounts for both these organizations. Based out of The Hague, Netherlands, with regional offices in Buenos Aires and Hong Kong, the HCCH is an intergovernmental world organization concerned with the harmonization of private international law. The members of the HCCH work to adopt private international law rules to help resolve situations that may be affected by the differences in legal systems between countries (Hague Conference on Private International Law, n.d.). Based out of Rome, Italy, UNIDROIT is an intergovernmental world organization concerned with “modernising, harmonising and co-ordinating private and in particular commercial law as between States and groups of States” (International Institute for the Unification of Private Law,

<sup>3</sup> PLEI funding to the territories is provided through the AJA agreements.

n.d.). UNIDROIT works to develop uniform law instruments, principles, and rules to achieve this unification of private law.

### **2.2.4 Contribution funding**

Contribution funding is provided to other NGOs to assist them in delivering initiatives related to family violence and murdered and missing Indigenous women and girls/violence against Indigenous women and girls. Funding of initiatives related to family violence are intended to raise public awareness on family violence issues and improve the justice system's and the public's response to family violence (Department of Justice, n.d.). Funding of initiatives related to violence against Indigenous women and girls are intended to contribute to reduced victimization of Indigenous women and girls, and to reduce their vulnerability to violence. Initiatives are expected to do so through provision of tools, resources, and programs that empower Indigenous women and girls and provide them with alternatives to risky behaviors (Department of Justice, 2016b).

## **2.3 Eligible activities**

JPIP funding to these organizations supports a variety of eligible activities including: research; development and dissemination of informational materials, models, and tools; pilot projects and demonstrations; conferences, workshops, symposia and other types of meetings; developing and providing resource tools and supports to victims of violence; empowerment and leadership development; culturally appropriate healing and support projects; bursaries to Métis and non – status Indians; and contribution for membership to the HCCH and UNIDROIT (Department of Justice, 2015a, 2015b).

## **2.4 Resources**

Just over \$3.0 million was allocated to the JPIP annually between 2012-13 and 2016-17, or \$3.4 million annually when the assessed contributions to the HCCH and UNIDROIT are considered (Table 1). Funding to organizations receiving annual funds in the form of operational funds, educational funds, or the assessed contributions to HCCH and UNIDROIT accounted for 65% of total JPIP funds in 2016-17 (\$2.18 million). The distribution between sub-activities was similar for other years of the evaluation period.

The JPIP, as with many programs, experienced reduced funding due to the federal government's 2012 Economic Action Plan, with the Department reducing JPIP funding by \$1 million as part of their Deficit Reduction Action Plan (DRAP) JPIP Performance Measurement Strategy.

Table 1: Annual allocation of JPIP to recipients, 2012-13 TO 2016-17						
Sub-activity and recipient type	Resources allocated annually					2016-17 %
	2012-13	2013-14	2014-15	2015-16	2016-17	
1) Operational funding						
Named grants	\$493,345	\$493,345	\$493,345	\$493,345	\$493,345	15%
PLEI organizations	\$1,030,813	\$1,030,813	\$1,030,813	\$1,030,813	\$1,030,813	31%
ICCLR	\$215,000	\$215,000	\$215,000	\$215,000	\$215,000	6%
2) Educational funding						
Indspire	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000	3%
3) Initiative funding						
Family Violence	\$597,725	\$597,725	\$597,725	\$597,725	\$597,725	18%
MMAWG	\$350,000	\$350,000	\$350,000	\$326,054	\$326,054	10%
Other JPIP activities	\$260,218	\$260,218	\$260,218	\$260,218	\$260,218	8%
Total JPIP resources	\$3,062,101	\$3,062,101	\$3,062,101	\$3,038,155	\$3,038,155	
4) Assessed contributions						
HCCH & UNIDROIT	\$330,000	\$330,000	\$330,000	\$330,000	\$330,000	10%
GRAND TOTAL	\$3,392,101	\$3,392,101	\$3,392,101	\$3,368,155	\$3,368,155	
Source: Data provided by program						

PLEASE VERIFY THAT INFORMATION IN TABLE 1 IS ACCURATE.

### 3.0 Methodology

The methodology for the evaluation used multiple lines of evidence, including a document/literature review, key informant interviews, file review, survey of applicants, and case studies. As noted, the methodology was as outlined in the JPIP Performance Measurement Strategy. The evaluation was guided by an evaluation matrix that addresses questions around relevance and performance and includes indicators and data sources for each. Performance questions include consideration of achievement of the outcomes as defined by the JPIP logic model. Appendix A provides the logic model and evaluation matrix.

The evaluation methodologies are described below and data collection instruments are provided in Appendix B. All data collection instruments were developed in consultation with the Evaluation Division.

#### 3.1 Document and literature review

The document review involved review of internal documents provided by the Evaluation Division as well as publicly available documents and included, for example,

- ▶ terms and conditions for the Program
- ▶ templates or examples of recipient project or contribution agreements
- ▶ annual reporting by the Program, such as through Departmental Performance Reporting
- ▶ other relevant publicly available information such as reports on plans and priorities, Budget Speeches, and Speeches from the Throne
- ▶ previous evaluations or sub-studies of funded areas
- ▶ annual data on the number of recipients and funding amounts by funding areas



- ▶ any other relevant documents identified by the Program or Evaluation Division

While this task did not include an exhaustive literature review, any recent literature covering access to justice issues relevant to the JPIP that were identified over the course of the evaluation were reviewed.

### 3.1 Key informant interviews

Key informant interviews were conducted to obtain the opinions, perceptions, and experiences of key stakeholders with knowledge of the JPIP. Interviews included Department of Justice Canada staff, partners, and stakeholders. ED has provided a list including the number of representatives to be interviewed from each of the following:

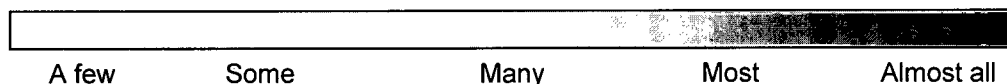
Key informant interviews involved 19 interviews (one was as a written submission) with 20 key informants as follows:

- |   |                |
|---|----------------|
| ▶ Department of Justice representatives | – 5 interviews |
| ▶ FVI recipients                        | – 4 interviews |
| ▶ PLEI core funding recipients          | – 3 interviews |
| ▶ VAAWG fund recipients                 | – 3 interviews |
| ▶ JPIP general funding recipients       | – 2 interviews |
| ▶ AJA PLEI recipients                   | – 2 interviews |

The Evaluation Division and JPIP program staff identified potential key informant interview participants. Interviews were conducted using structured interview guides tailored to the specific groups with questions designed to address the evaluation questions.

The representatives for the AJA PLEI recipients were asked some basic questions around how PLEI services are delivered in the territories, what gaps in services exist, if any, and what are the challenges, if any, of delivering PLEI in the northern territories?

The following scale has been applied to report on the interview findings:



### 3.2 File review

The file review involved a review of performance information and files for specific funded JPIP recipients. Files were reviewed at Department of Justice program offices and included reviews of data and records maintained for each recipient, such as the following:

- ▶ recipient applications
- ▶ contribution agreements
- ▶ recipient reporting
- ▶ financial data on reviewed files
- ▶ correspondences between the recipient and program staff

Each file was reviewed using a file review template to ensure that data was reviewed in a consistent fashion and to facilitate analysis and reporting. Two file review templates were developed based on information required in JPIP applications and reporting templates; JPIP uses two reporting templates – one for named grants, and one for all other recipients.

Files were reviewed for 31 JPIP recipients, with the breakdown as follows:

- ▶ Named grants – 5 recipients
- ▶ PLEI organizations – 5 recipients
- ▶ Violence Against Aboriginal Women and Girls (VAAWG) – 7 recipients
- ▶ Family Violence Initiative (FVI) – 9 recipients
- ▶ JPIP general funding – 5 recipients

### 3.3 Survey of applicants

The evaluation included an online survey of project applicants in order to obtain input from a broad range of Program stakeholders and to provide an opportunity to capture applicant input in a manner that can be aggregated and quantified. The survey included both successful and unsuccessful applicants and included some questions applicable to both and some specific to funded recipients and unsuccessful applicants. As well, the survey questionnaire was developed in a manner as to allow some comparisons with the survey results from the previous evaluation.

The Department of Justice Canada will provide the email addresses of primary contacts for project applicants. Applicants received an email invitation from the Evaluation Division to explain the survey and encourage their participation. Applicants were then emailed a unique link to the survey, with options of completing the survey either of the official languages. Several rounds of follow-up emails to non-respondents were conducted to encourage responses. Survey results were analyzed in SPSS. JPIP applicant names and email address were provided by the Evaluation Division; the sample included 114 applicants once duplicates and non-deliverables removed. The survey obtained a was completed by 46 applicants for a 40% response rate.

### 3.4 Case studies

Five case studies were conducted of funded projects/initiatives to provide more indepth context into how the JPIP contributes to each of the initiatives ad results achieved. Case study candidates were identified with the assistance of the Evaluation Division and included the following recipients:

- ▶ the Hague Conference on Private International Law (receives JPIP general funding)
- ▶ the International Institute for the Unification of Private Law (receives JPIP general funding)
- ▶ Indspire (which administers the Legal Studies for Aboriginal People Program through JPIP general funding)
- ▶ Girls Action Foundation (receives funding through both the FV and the VAAWG initiatives)
- ▶ Legal Resource Centre of Alberta Ltd. (receives JPIP general funding for PLEI)

Each case study involved a review of relevant documents and files for each project/initiative (e.g., applications, contribution agreements, recipient reporting), as well as interviews with several key stakeholders for each of the chosen project/initiative. Two interview guides were developed specifically for the case studies, one for PLEI recipients and one for other recipients.

Brief case study reports were developed for each case study based on the information obtained through interviews, documents, and data. The primary contact for each case study was provided the opportunity to review their case study to validate the information.

## 4.0 Findings

This section presents the findings of the evaluation according to relevance and performance issues.

### 4.1 Relevance

The core issues with respect to relevance include the following:

- ▶ the continued need for the Program
- ▶ the alignment of Program objectives with government and departmental priorities
- ▶ the roles and responsibilities of the federal government to deliver the Program

#### 4.1.1 Continued need for the JPIP

The evaluation found a continued need for the types of initiatives funded through the JPIP. All key informants believe the JPIP is still relevant and is needed. The JPIP addresses what are viewed as important ongoing issues, such as family violence and violence against Indigenous women, and can assist in identifying emerging trends and gaps, as well as can be used to address emerging issues. Interviewed recipients were all able to identify objectives of the JPIP that aligned with the objectives of their own projects. The file review confirms these observations, with all projects assessed as aligning with one or more JPIP objectives. As well, just over half of survey respondents believe that the JPIP objectives are completely or very much aligned with the justice needs of the general public (52%; n=24) as well as with the justice needs of the legal community in general (55%; n=25), while most others believed they were somewhat aligned (33%, n=15; and 22%, n=10, respectively).

This strong alignment with JPIP objectives indicate project applicants' perceived need for and desire to take part in initiatives in these areas. As further evidence that stakeholders view the JPIP objectives as important for meeting the needs of Canadians and also that support is needed to achieve these objectives, applicant survey respondents reported a high level of need for support to their organization to assist them in working towards achieving JPIP objectives (Table 2). In particular, over 80% of respondents identified a moderate to great need for support to help their organization achieve the first five objectives listed in the below table.

<p><b>Table 2: Extent organization needs or would benefit from support to achieve JPIP objectives – survey of applicants</b></p>
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JPIP objectives	Extent your organization requires/could benefit from support to assist you in achieving the JPIP objectives (n=46)				
	Great Need %	Moderate Need %	Slight Need %	Not Needed %	Don't know or not applicable %
Promote continued public awareness of family violence and public involvement in the response to family violence	70%	22%	2%	-	7%
Strengthen the justice system's response to family violence	65%	22%	9%	-	4%
Build knowledge, awareness, and understanding among the public on justice issues	61%	24%	13%	2%	-
Promote and encourage involvement in the identification of emerging trends, issues, and/or gaps and possible responses with respect to the justice system	57%	26%	11%	2%	4%
Build knowledge, awareness, and understanding among justice stakeholders on justice issues	54%	33%	7%	2%	4%
Reduce the vulnerability of young Aboriginal women to violence through the development of models, programs, tools, and resources to provide alternatives to risky behaviour and to empower Aboriginal women	54%	15%	4%	-	26%
Promote the equitable representation in the legal system of Métis and Non-Status Indians by encouraging them to pursue their studies in law	13%	13%	11%	9%	54%
Note: Totals may not sum to 100% due to rounding. Caution: small sample size					

The continued need for JPIP initiatives to support the specific JPIP objectives is discussed below.

**Building knowledge, awareness, and understanding around justice issues.** Key informants spoke widely of the need for building knowledge and awareness of the justice system and justice issues in a wide range of areas. Funded PLEI activities are viewed as needed to help the public understand the law, the Canadian justice system, their rights, and how to deal with their legal matters. PLEI activities are particularly of importance to assist the increasing number of self-represented litigants. Furthermore, PLEI materials need to be provided in a user friendly manner and in a number of formats to ensure the materials are accessible and understandable to a wide range of audiences. A few key informants observed that PLEI activities contribute to the *Nine-Point Access to Justice Roadmap* outlined by Justice Cromwell in the report on access to civil and family justice. This report, conducted by the Action Committee on Access to Justice in Civil and Family Matters, identifies a serious access to justice issue in Canada due to the civil and family justice system being complex, slow, and expensive. One of the main beginning elements of the roadmap laid out in the report for achieving access to justice is for a front-end set of services that can facilitate early resolution of legal matters to avoid involvement of the formal justice system (e.g tribunals and court). The report identifies public legal information and

education as one of the foundational components of these early resolution services (Action Committee on Access to Justice in Civil and Family Matters, 2013).

As well, key informants spoke of needs to build awareness, knowledge, and understanding for the public as well as for justice stakeholders with respect to specific issues that are addressed through the JPIP, such as family violence, violence against Indigenous women and girls, and harmonization of laws.

**Identifying emerging trends, issues, and/or gaps and possible responses with respect to the justice system.** Key informants spoke of how the funded initiatives can contribute towards identifying emerging trends and gaps, and the importance of this work to inform and improve the justice system. For example, a key role of the ICCLR is to inform and support the federal government in key priority areas with respect to criminal law and to do so in both a national and international context. It does so through early identification of trends occurring at the national and international level, and supporting policy-oriented research with respect to responding to trends. The work of the ULCC is also viewed as important for identifying and contributing to justice reform to address trends, issues, and gaps in the justice system. One way it does this is to bring attention to issues identified by stakeholders working in the justice system, such as judges and other practitioners, or by provinces and territories.

**Participating in efforts to harmonize international private law.** Canada's participation in efforts to harmonize international private law is viewed as needed to assist Canadian individuals, families, and commercial enterprises in resolving their legal matters that have an international context. Furthermore, harmonization has become increasingly important given the global nature of commercial entities as well as the rising tendency of Canadians to have personal and business ties to other countries.

**Increasing awareness of and strengthening responses to family violence.** Family violence is a pervasive problem in Canada and globally as evidenced by a 2014 report by Canada's Chief Public Health Officer (Public Health Agency of Canada, 2016). According to the report, while acknowledging that complete and reliable statistics on family violence are difficult to obtain, available data indicates the following: on average, 172 family-related homicides are committed in Canada annually; those at greatest risk of family violence include women, children, Indigenous peoples, people with disabilities, and people who identify as lesbian, gay, bisexual, trans or questioning; women are more likely to be victims of intimate partner abuse (physical and sexual) and to be killed by an intimate partner; and that family violence is often unreported due to reluctance of victims to speak out. All key informants spoke of the need to increase awareness of and strengthen the response to family violence, with many interviewed recipients providing examples of how their projects contribute to addressing this need. An example of highlighting this need was provided through case study interviews that revealed relationship violence as a form of violence that is increasing and yet a culture of shame exists in reporting this violence. Empowering young women to acknowledge relationship violence and seek assistance is viewed as an important unmet need that can be addressed through JPIP funding. Furthermore, from key informant interviews, there is an identified need for more work to ensure that victims and their families receive equitable and fair access to justice, plus the issue of forced marriages is an emerging issue in Canada requiring further attention with respect to protecting and supporting victims of forced marriages.

**Reducing the vulnerability of young Indigenous women to violence.** A 2009 Statistic Canada study based on the General Social Survey data found that Aboriginal women self-reported rates of violent victimization three times higher than that of non-Aboriginal women (Brennan, 2011). The 2013 study initiated by the Commissioner of the RCMP on missing and murdered Aboriginal women found that not only are Aboriginal women over-represented with respect to murdered and missing women, but that the numbers exceeded previous estimates. The study reported police records of 1,017 homicide victims and 164 missing Aboriginal women and girls (Royal Canadian Mounted Police, 2014). Further evidence of recognition of the need for initiatives to reduce the vulnerability of Indigenous women to violence, is the Parliament established Special Committee of the House of Commons that conducted hearings regarding missing and murdered Indigenous women and girls. The Special Committee's report *Invisible Women: A Call to Action* looked at the extent of missing and murdered Indigenous women and girls in Canada and made consideration of root causes of violence against Indigenous women (Special Committee on Violence, 2014). And in December, 2015, the federal government announced the *National Inquiry into Missing and Murdered Indigenous Women and Girls* and then subsequently launched the inquiry in August, 2016, with a mandate to "examine and report on the systemic causes behind the violence that Indigenous women and girls experience, and their greater vulnerability to violence, by looking for patterns and underlying factors that explain why higher levels of violence occur" (Government of Canada, 2015a, 2015b). Key informants also spoke of the need for programming to assist vulnerable Indigenous women to gain an understanding of how to recognize violence and of the supports available to address the violence.

**Promoting the equitable representation of Métis and Non-Status Indians in the legal system by encouraging them to pursue their studies in law.** The financial support from the JPIP is viewed as needed to financially assist Indigenous students enrolled in a pre-law or law program and increasing their access to becoming members of the legal profession. In recognition of the need to address the educational disparities that exist for Indigenous students, the Truth and Reconciliation Call to Action made a series of recommendations around education, including for development of a joint strategy between the federal government and Indigenous groups "to develop a joint strategy to eliminate educational and employment gaps between Aboriginal and non-Aboriginal Canadians" as well as for the "federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education" (Truth and Reconciliation Commission of Canada, 2015). As well, in the December 2015 Speech from the Throne the Government of Canada committed to work to implement the Truth and Reconciliation's recommendations and to "work with First Nations so that every First Nations child receives a quality education" (Government of Canada, 2015c).

### **Responsiveness of the JPIP to the needs of Canadians**

The JPIP's scope is necessarily broad given its wide range of objectives. JPIP activities and funding investments include providing funding for the following purposes, and, as was discussed above, stakeholders believe there is a need for this support.

- ▶ To promote partnership building and intersectoral collaboration such as through membership in the HCCH and UNIDROIT.
- ▶ To stimulate knowledge development and dissemination
- ▶ To build community capacity
- ▶ To reduce victimization of Indigenous women

- ▶ To improve the Justice system's response to family violence and reduce family violence
- ▶ To provide financial support to Indigenous students pursuing a legal studies program

Similarly, recipient's area of focus for their JPIP funded initiative is broad, as revealed through both the file review and applicant survey. While the highest number of initiatives reported that their initiative's focus area was related to family violence, access to justice, PLEI, violence against Indigenous women and girls, and justice policy matters, some were working in the area of missing or murdered Indigenous women, justice-related issues in the international fora, criminal law reform, and forced marriages.

<b>Table 3: Areas of focus for JPIP funded initiative – survey of applicants (approved applicants) and file review</b>				
<b>Areas of focus</b>	<b>Survey - approved applications (n=38)</b>		<b>File review (n=31)</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Family violence	25	66%	11	35%
Access to justice	21	55%	17	55%
Public legal education and information	18	47%	13	42%
Victims of crime	14	37%	10	32%
Violence against Indigenous women and girls	9	24%	6	19%
Justice policy	5	13%	5	16%
Missing or murdered Indigenous women	3	8%	5	16%
International law (justice-related issues in the international fora)	2	5%	-	-
Criminal law reform	1	3%	2	6%
Forced marriage	-	-	4	13%
Other	7	18%	6	19%
Note: Respondents could provide more than one answer; totals may sum to more than 100%. Caution: small sample size				

JPIP funded initiatives also take part in a variety of activities to achieve their objectives, as demonstrated in Table 4.

<b>Table 4: JPIP funded initiatives' activities – survey of applicants (approved applicants) and file review</b>		
<b>Activities that recipients take part in</b>	<b>Survey approved applications (n=38)</b>	<b>File review All files (n=31)</b>
Offering workshops, conferences, symposia	61%	52%
PLEI projects	53%	39%
Offering training sessions	45%	39%
Conducting pilot, demonstration, or research projects	40%	16%
Promote increased harmonization of legislation	11%	3%
Promote international cooperation on justice issues	8%	3%
Research related to access to justice	5%	29%
Support-type services (counselling, legal advice)	-	32%
Note: Respondents could provide more than one answer; totals may sum to more than 100%. Some recipients may have been included in both survey and file review findings. Caution: small sample size		

As well, all lines of evidence identified that JPIP initiatives had a wide reach with respect to the types of target audiences and beneficiaries, and that included, for example, Indigenous women and girls, or Indigenous people in general; women or women and girls; youth, including youth at risk and youth involved in the justice system; seniors; victims of crime; visible minority groups; justice professionals and other professional groups; government; northern and/or remote communities; urban communities; persons with disabilities and/or mental health issues; and the general public, amongst other groups.

<b>Table 5: Intended direct beneficiaries or target populations for project(s) – survey of applicants (approved applicants) and file review</b>				
Direct beneficiaries/target populations	Survey approved applications (n=38)		File review (n=31)	
	#	%	#	%
Indigenous peoples	21	55%	6	19%
Youth (12 to 18 years old)	21	55%	8	26%
Victims of crime	20	53%	6	19%
Justice-related professionals	17	45%	16	52%
Ethno-cultural or visible minority groups	15	40%	4	13%
Urban communities	15	40%		
Remote communities	14	37%	-	-
Persons undergoing separation or divorce	12	32%	-	-
Persons with mental health issues (including FASD)	12	32%	-	-
Seniors	12	32%	2	6%
Youth at risk	12	32%	2	6%
Northern communities	9	24%	-	-
Other professional groups	9	24%	2	6%
Youth involved in the justice system	9	24%	-	-
Governments (provincial/territorial)	8	21%	-	-
Persons with addictions issues	8	21%	-	-
Persons with disabilities	7	18%	-	-
Children (0 to 12 years old)	6	16%	6	19%
Official language minority communities	6	16%	2	6%
Women/women and girls	5	13%	3	10%
Homeless persons	3	8%	-	-
Victims of domestic /family violence	3	8%	-	-
Community organizations, service providers and frontline workers	-	-	5	16%
General public	-	-	9	29%
Indigenous women and girls	-	-	5	16%
Men and boys	-	-	1	3%
Other	4	11%	-	-
Don't know	1	3%	-	-
Note: Respondents could provide more than one answer; totals may sum to more than 100%. Caution: small sample size				

Reach is measured not only by the amount and type of activities offered and the amount and type of target audiences but also by the numbers of the target population that avail themselves of the



offered activities and materials. Participation in JPIP funded activities and use of materials offered were primarily available to the evaluation through examples provided by key informants and reviews of project reporting. Some examples gathered of reach in terms of numbers accessing the activities/materials are provided below.

Some examples of reach for PLEI activities include:

- ▶ 754,503 publications ordered, with 1,679 other organizations placing orders; 27 webinars with 607 participants; 833,099 website visits; 5 learning sessions with 129 participants;
- ▶ 55,000 publications distributed; 75 workshops across the province; more than 1,000 referrals questions responded to;
- ▶ 46 publications produced, revised and printed; 112,615 distributed; 35 learning sessions with 668 participants; 629 calls received on call line; 280 referrals made; and
- ▶ 6,800 callers assisted by law phone-in line staffed by lawyers and 1,215 emails responded to.

Examples of reach for other types of JPIP funded initiatives include:

- ▶ 366 family members provided services through one on one counselling, support groups, ceremony and other traditional gathering;
- ▶ research shared with 12 law enforcement agencies, 4 victim services agencies, 5 prosecutors and 4 psychologists; and
- ▶ training provided to 23 service providers and copies of a developed legal framework on forced marriage sent to 15 service provider agencies.

### ***Needs not being met or emerging needs***

Many key informants also identified areas where justice needs of Canadians are not being sufficiently met, or emerging needs. Examples given for unmet needs include continuing gaps in services and resources for self-represented litigants, or for services for specific types of vulnerable groups (e.g. victims of crime, people new to Canada, low income people, youth, the growing seniors population, people living in more remote communities). Others said it was not so much that there were specific areas of unmet need, but that it was more a case that the JPIP did not have sufficient funds to meet the level of needs. As a result, the program is not always able to fund initiatives of interest for emerging justice issues.

Key informants also identified continued needs with respect to PLEI, such as for plain language materials, provision of PLEI services and PLEI resources in non-official languages, paralegal assistance in completing forms, practical and procedural step by step guides, with much of this information targeted to assisting self-represented litigants. Areas of law needs include those related to consumer, debt, accidents and injuries,

Some key informants provided suggestions on emerging areas of need, which included: implementing trauma-informed approaches where service providers are trained to be more aware of the impact of trauma on people; considering the interconnectedness of issues such as drugs, addiction, mental health, violence and justice, particularly in light of the federal government's intention to legalize and regulate marijuana; restorative justice in Aboriginal communities; human trafficking in the context of domestic violence; general legal education around issues of violence

and violence prevention at schools, the workplace, and online (i.e., cyberbullying). A few key informants had differing opinions on whether forced marriage is an area of emerging need.

#### 4.1.2 Alignment with government priorities

The JPIP's alignment with government priorities can be demonstrated through the program's logic model and the linkages of outcomes to priority outcomes of the Department. From the logic model (see Appendix A), each of the subactivities, outputs, immediate and intermediate outcomes are expected to lead to the ultimate outcomes of "increased access to the Canadian justice system" and a "strengthened Canadian legal framework." These ultimate outcomes contribute to the Department's strategic outcome of "a fair, relevant, and accessible Canadian justice system," as defined in the Department's Program Alignment Architecture (PAA) (Department of Justice Canada, 2016a, p. 6). As well, JPIP falls under Department Program 1.1: Stewardship of the Canadian Legal Framework, which, in turn, supports the Government of Canada's priority outcome for "a safe and secure Canada" (Department of Justice Canada, 2016b, pp. 26–27).

The alignment of the JPIP's specific objectives to government priorities can also be demonstrated. The JPIP objective of reducing the vulnerability of young Aboriginal women to violence and empowering Aboriginal women aligns with the federal government's priority areas related to missing and murdered indigenous women and girls, including the aforementioned *National Inquiry into Missing and Murdered Indigenous Women and Girls* which was launched in December, 2015 (Government of Canada, 2015b; Office of the Prime Minister, n.d.).

The *Action Plan to Address Family Violence and Violent Crimes Against Aboriginal Women and Girls* further articulates the federal government's priority areas for addressing violence against Indigenous women and girls. The action plan was in response to recommendations made by the Special Committee on Violence Against Indigenous Women. The plan outlines actions that were to be made by the federal government over five years to prevent violence, support victims, and protect Aboriginal women and girls. Actions defined in the plan align well with the JPIP objectives related to family violence and reducing the vulnerability of young Indigenous women to violence including through, for example:

- ▶ engaging partners for a coordinated approach,
- ▶ community led programs for creating safe communities, preventing violence, breaking intergenerational cycles of violence and abuse, and
- ▶ programming and services to support and protect victims of family and other types of violence (Government of Canada, 2014).

The Mandate Letter for the Minister of Justice and Attorney General of Canada also outlined the Minister's areas of responsibility including "policy in such areas as criminal law, family law, human rights law, public law and private international law, constitutional law and Aboriginal justice" most of which align well with the needs targeted by the JPIP (Office of the Prime Minister, n.d.). Key informants who could speak on alignment with government priorities further confirmed this alignment, observing that funded initiatives align with departmental priorities for improving access to justice, enhancing the justice system's response to family violence, promoting a fair and accessible Canadian justice system, and developing approaches to strengthen the Canadian legal framework. In particular, key informants mentioned that the JPIP

aligns well with current governmental priorities with respect to family violence and violence against Indigenous women and girls. As well, given the Department of Justice has the responsibilities of ensuring Canada's membership in the HCCH and UNIDROIT, the JPIP aligns well with meeting those responsibilities.

Key informants also view the JPIP as complementing initiatives taking place in other federal departments/agencies and other jurisdictions. For example the Department of Justice, Status of Women Canada, Public Safety Canada, and Indigenous and Northern Affairs Canada all have distinct and what are viewed as complementary roles in the *Action Plan to Address Family Violence and Violent Crimes Against Aboriginal Women and Girls*. in areas such as family violence, victim issues, and missing and murdered indigenous women. PLEI organizations receiving PLEI funding through JPIP are organizations designated by their province to provide PLEI services.

#### 4.1.3 Alignment with federal roles and responsibilities

The JPIP appears to align well with federal roles and responsibilities as outlined in legislation and articulated in the Department's roles and responsibilities with respect to administration of justice. Section 4 of the *Department of Justice Act* (R.S.C., 1985) outlines the powers, duties and functions of the Minister, including to:

- “(b) have the superintendence of all matters connected with the administration of justice in Canada, not within the jurisdiction of the governments of the provinces;
  - (c) ....generally advise the Crown on all matters of law referred to the Minister by the Crown; and
  - (d) carry out such other duties as are assigned by the Governor in Council to the Minister.”
- (Government of Canada, n.d.).

Within these responsibilities, the Department of Justice has three defined roles, all of which can be seen to be related to the objectives of the JPIP, including to act as:

- “a policy department with broad responsibilities for overseeing all matters relating to the administration of justice that fall within the federal domain - in this capacity, it strives to ensure a fair, relevant, and accessible Canadian justice system for all Canadians;
- a provider of a range of legal advisory, litigation and legislative services to government departments and agencies; and
- a central agency responsible for supporting the Minister in advising Cabinet on all legal matters.” (Department of Justice Canada, 2016b, pp. 3–4).

The overall goal of the JPIP of supporting the policy directions of the Department of Justice directly assists the Department in its role of acting as a policy department towards the goal of ensuring a fair, relevant, and accessible Canadian justice system. Each of the JPIP's specific objectives can be viewed as contributing to this overall JPIP goal and, therefore, support the policy directions of the Department. The JPIP objectives related to identification of justice-related emerging trends, issues, and/gaps; and of building knowledge, awareness, and understanding can be viewed as contributing not only the first role, but to all three of the Department's roles defined above. Furthermore, the funding provided by the JPIP supports the

work of various organizations that have the potential to assist the Department in each of the above roles. This includes each of the named grants recipients, the ICCLR, the ULCC, the HCCH and UNIDROIT. For example, key informants identified the five organizations receiving named grants funds will advise and inform the Department and other stakeholders on legislative matters. Key informants also observed that the funded initiatives contribute towards the federal government's ability to fulfill its roles in such areas as promoting access to justice, and provision of accessible justice related information, as well as with assisting the federal government in its shared jurisdiction with provinces/territories for administration of justice. PLEI organizations that receive funding from their provincial governments and the JPIP are examples of the latter.

## **4.2 Performance – achievement of immediate outcomes**

### **4.2.1 Increased capacity to build knowledge, awareness and understanding**

#### *Extent that stakeholders can continue ongoing activities*

The JPIP is important to recipients to assist them in undertaking the various activities, services, and supports that contribute to building knowledge, awareness, and understanding of justice issues. While JPIP funding may not constitute all or even a majority of some recipients' resources, key informants reported the funding is still critical to organizations for assisting with such things as core operations, offering programming, expanding their client base, and leveraging resources. For some recipients, however, the JPIP funds are the primary or sole source of cash funds for their initiative, with any partners primarily providing in-kind resources. Most key informants believe JPIP recipients' services or projects would either have to discontinue or be curtailed without the JPIP funding.

This belief was further confirmed by the applicant survey, where almost all (95%; n=36) of the respondents with an approved application said that their project would not have been able to proceed without JPIP funding and close to three quarters (72%; n=13) of the respondents with an unapproved application said that their project was unable to proceed without JPIP funding. As well, as shown in Table 6, the majority of survey respondents said their organization had a great to moderate need for support to help them conduct various JPIP funded activities. And, in particular, almost three quarters (72%) said they had a great need to assist them in developing and/or offering resources, tools, and supports related to family violence, and close to two thirds (63%) for conducting such activities as pilots, demonstration, and research projects and PLEI projects.

<b>Table 6: Extent organization needs or would benefit from support to help conduct various activities – survey of applicants</b>					
<b>JPIP funded activities</b>	<b>Extent to which organization requires/could benefit from support to help you in conducting the following activities (n=46)</b>				
	<b>Great Need %</b>	<b>Moderate Need %</b>	<b>Slight Need %</b>	<b>Not Needed %</b>	<b>Don't know or not applicable %</b>
Develop/offer resources, tools, and supports related to family violence	72%	15%	2%	2%	9%
Pilot, demonstration, and research projects	63%	22%	9%	2%	4%
Public legal education and information projects	63%	15%	9%	2%	11%
Offer training sessions	59%	28%	2%	4%	7%
Offer workshops, conferences, symposiums	54%	30%	9%	2%	4%
Culturally appropriate healing and support projects	52%	20%	9%	2%	17%
Other	13%	-	-	-	-
Note: Totals may not sum to 100% due to rounding. Caution: small sample size					

Some specific examples provided of how the JPIP allows organizations to continue their ongoing activities include the following:

- ▶ A few recipient organizations mentioned the JPIP funding assists their organization in leveraging resources from other funding sources, and that the loss of JPIP funds could jeopardize access to these other funding sources. Funding from the federal Department of Justice through the JPIP provides further credibility on the importance of PLEI services to the public. A specific example provided is that, for one PLEI organization, the JPIP and another funding source together provide 60% of the organization's overall resources. While the other funder accounts for the larger share of the 60%, its contribution is contingent on the JPIP also providing funds. JPIP funding assists PLEI organizations with, for example, meeting operational expenses, developing PLEI materials, conducting outreach and training activities, and translating materials.
- ▶ Funding to the ICCLR, for example, supports the operations of the organization that consists of a small contingent of staff, as well as provides funds to support program development and research activities. Research is often conducted by associates of the ICCLR who are recognized as experts in various criminal justice issues, with this work often serving as a catalyst for other initiatives.
- ▶ Without the JPIP funding that Indspire administers, financial assistance to Indigenous students pursuing a law program would have to be diverted from other programs and, therefore, would impact students wanting to access those funding programs.

- ▶ HCCH and UNIDROIT rely on member country contributions, including from Canada, for their ongoing operation. Furthermore, Canada is in the top funding category for each organization; contributors to the top funding categories together account for a substantial proportion of overall funds for both organizations. Provision of the assessed contribution which is provided through the JPIP is, as mentioned by key informants, essential for Canada's continued membership and involvement in each of these organizations. As well, Canada makes contributions to both of these organizations that is beyond the JPIP funding that goes towards meeting assessed membership requirements. The Constitutional Administrative and International Law Section (CAILS) of the Department of Justice is responsible for meeting the work requirements of the HCCH and UNIDROIT membership. Canadian delegates represent Canada's views, contribute to the work of the organizations, and are often requested to assume leadership roles within both organizations.

### *Extent that the JPIP contributes to increased capacity*

Separating out the extent that recipients' capacity has increased due to the JPIP funding from the extent that recipients are able to continue ongoing activities, as was just discussed above, is challenging, particularly as there is no baseline upon which to measure ongoing activities versus increased capacity. Evidence of increased capacity is primarily from recipient specific examples, as provided through key informants, case studies, and the file review. Some of these examples are provided below.

- ▶ Projects that aim to reduce the vulnerability of young Indigenous women and/or young women in general in becoming victims of violence have directly increased capacity to serve this target group. From key informant interviews with Department stakeholders, a focus of the program is to fund organizations providing services to victims of family violence and Indigenous women that have experienced violence. The intent is to increase the capacity of these organizations to provide needed services to these victims.
- ▶ Some organizations have been able to expand their services and their client base in terms of volumes served, types of services provided, and the intended target group. An example of service expansion is more specialized services to Indigenous women or immigrant women. An example of both expanded services and client base is the Building Bridges to Justice project that enabled the Girls Action Foundation (GAF) to expand its work that primarily focussed on prevention and self-esteem building activities to activities that would assist young women who experienced relationship violence, and to also expand age group that the activities were targeting to include an older age group than the GAF usually works with.
- ▶ Funding of two victims of domestic violence programs operated by the Victims Services Program of Toronto is viewed as contributing to increased capacity for all service providers that interact with victim of domestic violence, including victims services, police, child protection services, and others. An aspect of the project is to provide victims of domestic violence with an advocate who coordinates a multidisciplinary team of justice and social service providers. The multidisciplinary nature of the services has assisted each partner organization gain a greater understanding each partners services and with identifying gaps and working collaboratively to address gaps.

- ▶ PLEI organizations have been able to provide training to other organizations or service providers, who then are in a better position for providing legal information services to their own clients. As a result, the JPIP funding has assisted not only in increasing the capacity of the PLEI organizations, but of these other organizations/service providers.
- ▶ Similarly, with respect to increasing capacity to other stakeholders, the tools and resources developed through some projects are useful to and have contributed to increased understanding and improved capacity in other organizations for meeting client needs. For example, a risk assessment tool developed through several JPIP funded projects on forced marriages are expected to increase capacity of service providers on issues to address around forced marriages, identifying potential cases of forced marriages, and providing the supports to victims of forced marriages in a culturally sensitive manner.
- ▶ The resources and supports provided through some projects increased the ability and capacity of clientele to address their own justice-related issues.
- ▶ As mentioned above, JPIP funding contributes to Canada's membership in the HCCH and UNIDROIT, but the Department of Justice as well as other Canadian delegates contribute time and expertise to the work of both organizations. As such, Canada is viewed as playing a leadership role and contributing to the capacity of the organizations through proposing new conventions, facilitating the consensus approach of the HCCH and UNIDROIT, and contributing to the governance aspect of the organizations. Canada also contributes expertise in the development of new conventions and in the operation of existing conventions. Furthermore, as a country with both civil and common law, Canada is in the unique position of being able to provide input into schemes that are workable in both systems.

Key informants also identified that language and other barriers can affect clients' (or potential clients) abilities to access and make use of needed information and services. Examples were provided of how some funded recipients make efforts to address language needs of clients and which contributes to capacity for building knowledge and understanding. This could be in the form of offering PLEI materials in both official languages, plus a few PLEI recipients mentioned translating materials to other spoken languages, including Mandarin, Hindi, Spanish, Arabic, and others. A few key informants who provide services to Indigenous communities reported more material should be produced using Indigenous languages, while also ensuring the material is culturally relevant. However, it was noted that it can be difficult to find translators for some Indigenous languages. Others have used Indigenous interpreters in programming or services.

For those initiatives receiving JPIP funding on an annual basis, such as for core funding or named grants, this ongoing funding provides a certain level of security that assists organizations with planning for both ongoing and new activities. However, organizations receiving short term funds, such as through special initiatives funding for one year, can find it challenging or not possible to offer the services once JPIP funding is ended, or there may be interruption in services while waiting for program decisions on continued funding, or the organization may not have the capacity to implement or conduct ongoing communications or training on tools and resources developed through the JPIP funded initiative.

***Contribution of partnerships to capacity***

Partnerships are an important aspect of JPIP funded initiatives for contributing to capacity, and, in fact, partnerships are encouraged by the Program and multiple partners are not uncommon. Just over three quarters (76%, n=38) of the survey respondents with an approved application said they had a partner for their JPIP funded initiative. Almost all (90%, n=28) of the files reviewed identified partners, with the number of partners ranging from 1 to over 40. Just over one third (35%, n=11) of projects reviewed identified from 1 to 5 partners, and 29% (n=9) identified from 10 to 20 partners.

While somewhere under half of partners (45%, n=13 of approved applicants responding to the survey; and 36%, n=10 of files reviewed) provide cash funds, the majority provide in-kind contributions (79%, n=23 in the survey; 88%, n=25 in the file review). In-kind contributions are primarily in the form of human resources and expertise and advice. For example, from the survey, in-kind contributions for approved applications were as follows for the 29 respondents with partners:

- ▶ human resources (52%, n=15)
- ▶ expertise and advice (35%, n=10)
- ▶ infrastructure (31%, n=9)
- ▶ services (17%, n=5)

JPIP recipients have a high level of satisfaction with their partnerships; 76% (n=22) of survey respondents were very satisfied and 24% (n=7) satisfied with their partnerships. Partnerships are highly valued not only for the cash resources they provide but also for the expertise and knowledge they contribute to the initiative. Key informants identified that partners often have expertise that assists the initiative in developing and delivering resources, tools, and programming. As well, partners often come with their own networks and associations and which can contribute to increasing the reach of the initiative. Partners will often take tools, resources, and or information developed through initiatives and implement and use them in their own organization, as well as share and endorse them with other organizations. Other identified helpful contributions by partners include, for example volunteering their time towards the initiative, or providing space, supplies, and other infrastructure.

As revealed in interviews, funded initiatives have a wide range of partnerships. Initiatives operating at the community level, for example, will have partnerships with and draw on the knowledge and skills of other community organizations or service providers in the areas of justice, social services, health, and education. Participants in the work of the ULCC include representatives of federal, provincial, and territorial governments, the Canadian Bar Association, academic institutions and others. The ICCLR has partnerships not only with other justice stakeholders within Canada, but also at the international level, such as the United Nations.

For several JPIP funded initiatives, specifically the intergovernmental organizations HCCH and UNIDROIT, partnerships are critical to the work and ongoing operations of the organizations. It is the 80 member states of the HCCH and the 63 member states of UNIDROIT that fund the organizations, make decisions, contribute to their work, reach agreements on conventions and other instruments, and subsequently adopt conventions for the purpose of harmonizing laws. As well, Canada makes contributions to the HCCH and UNIDROIT beyond the JPIP funding in the



form of expertise and support from the Department of Justice, other federal departments, provinces and territories, and the private sector.

### **4.3 Performance – achievement of intermediate outcomes**

#### **4.3.1 Increased awareness and knowledge**

##### ***JPIP funded activities that contribute towards increased awareness and knowledge***

Most, if not all, of the activities that JPIP recipients take part in can be viewed as knowledge and awareness building activities. In particular, as was demonstrated in Table 4, a majority of recipients take part in such activities that are conducted specifically to build awareness, knowledge, and understanding. For example, 61% (n=23) of survey respondents who had approved applications conducted such activities as workshops, conferences, and symposia. As well, just over half (53%, n= 20) of respondents said they took part in PLEI related projects, and a substantial number were offering training sessions, or conducting pilot, demonstration, or research projects.

PLEI organizations activities are all focused around assisting the public better understand the Canadian justice system and the law, and offer a variety of such activities and in a number of formats to ensure that a wide range of topics are covered and in a range of accessible formats. Examples gathered through the evaluation include call-in lines and responding to email queries; PLEI materials distributed online as well as print forms distributed not only through the PLEI organization itself but also through other service organizations; legal information sessions and presentations; and training to other organizations to assist them in providing legal information to their clients. Information provided covers a range of areas including criminal, family, and civil law, as well as general information on understanding and navigating the justice system.

Other examples were provided of activities conducted to increase awareness and knowledge in vulnerable populations, as well as other services or members of the community that may interact with these vulnerable populations. Some examples are provided below:

- ▶ Conferences, webinars, toolkits and training to increase awareness and discussion around forced marriages.
- ▶ A workshop guide to help facilitators from community organizations hold discussions with young women on how to respond to relationship violence, what their rights are, and what services and community resources are available to them. The same project provided a website with 21 different online tools to support young women and help them to identify, prevent, and respond to relationship violence.
- ▶ A project targeting schools and Indigenous communities and that utilizes theater to provide information on relevant legal issues, such as cyber bullying, Aboriginal law, and restorative justice.
- ▶ A video on the history of Indigenous issues and that included the effects of colonization and roots of violence.

And some activities are provided to contribute to increased awareness and knowledge of justice system stakeholders such as legislators, judges, the courts, federal and provincial justice departments, and students among others. A few specific examples include:

- ▶ The Canadian Association of Provincial Court Judges provides educational activities to judges across Canada.
- ▶ The ULCC conducts activities to inform unifying and increasing consistency of laws across Canada.
- ▶ The Canadian Society of Forensic Science conducts tests and research that help to inform stakeholders on medical devices and aspects of impaired driving.
- ▶ Some recipients conduct conferences and symposia to encourage discussion on justice-related matters.
- ▶ The HCCH and UNIDROIT offer information on their websites and take part in activities such as conferences, seminars, and other knowledge sharing platforms with the purpose of informing stakeholders on unification of private law. They also provide materials to assist governments in implementing their instruments as well as for other stakeholders that make use of the instruments.
- ▶ The bursaries administered by Indspire assist Indigenous students with their law programs. From 2012/13 to 2014/15, 158 Métis and non-status First Nations students received JPIP funds to contribute towards their education in legal studies, or an average of 40 students per year. Of these 158 students, 152, or 96%, were Métis.<sup>4</sup>

While data are not available to provide any overall estimates or assessments of numbers and types of activities offered, a number of specific examples were identified through the various lines of evidence and particularly for PLEI activities, and as was described in Section 4.1.1.

### ***Promotion of awareness and knowledge, and extent of increased knowledge and understanding***

The evaluation also considered how these activities promoted awareness and knowledge, and the extent they contributed to increased understanding. No specific measures of increased knowledge and understanding are available, plus increased knowledge and understanding are qualitative aspects that would be difficult to measure, particularly considering the broad range of activities the JPIP funds and the diversity of the target audiences for the various initiatives. That said, all lines of evidence for the evaluation indicate that JPIP funded initiatives do promote awareness and knowledge of justice-related issues and do contribute to increased knowledge and understanding of such issues. Again, as was demonstrated in Table 4, the majority of recipient activities are conducted around knowledge-building types of activities.

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<sup>4</sup> Data provided by JPIP program.

Most survey respondents believe that their JPIP funded initiative contributes to those JPIP objectives related to awareness and knowledge and the majority believe they do so to a great or very great extent. As shown in Table 7, 60% and more of respondents believe their JPIP funded initiative contributed to each of the four knowledge/awareness-based objectives to a great or very great extent, and 82% and more said to at least some extent. Furthermore, from the file review, four of five named grants reported their initiatives resulted in new information, and 77% (n=20) of other projects reviewed reported new skills, new information, and changed awareness.

**Table 7: Extent JPIP-funded project(s) contributed to JPIP objectives, survey of applicants - approved applicants**

JPIP objectives	Extent to which project achieved JPIP objectives (n=38)		
	Very great extent %	Great extent %	Some extent %
Promote and encourage involvement in the identification of emerging trends, issues, and/or gaps and possible responses with respect to the justice system	37%	24%	29%
Build knowledge, awareness, and understanding among justice stakeholders on justice issues	37%	34%	11%
Build knowledge, awareness, and understanding among the public on justice issues	37%	24%	21%
Promote continued public awareness of family violence and public involvement in the response to family violence	34%	26%	18%
Caution: small sample size			

The previous evaluation of the JPIP, released in 2012, also conducted an applicant survey. Compared to a similar question from that survey, the current survey respondents report somewhat more positively on the extent that their project contributes to the JPIP objective to *build knowledge, awareness, and understanding on justice issues*. The previous evaluation asked respondents to rate to what extent JPIP funded activities *increased knowledge, awareness, understanding, confidence, trust, and informed dialogue on justice issues*, with 27% (n=7) saying a great or very great extent, 39% (n=10) to a little extent or some extent, and 35% (n=9) either saying they don't know or they did not respond to the question.

Examples of how JPIP initiatives are viewed as contributing to increased awareness, knowledge, and understanding are provided below.

- PLEI recipients report that the focus of their organizations' work is to increase public awareness and knowledge of the justice issues. Recipients report that their PLEI materials and activities have resulted in a more informed public with a greater knowledge of the law and legal processes. Recipients also report positive feedback from clients on the helpfulness of their PLEI activities and also that there has been an increasing demand for PLEI resources and services. Furthermore, the training activities to other service providers increases their level of knowledge and understanding which, in turn, assists these organizations in providing services and helping to inform their own clients.

- ▶ PLEI organizations also noted that through their work they are able to track the issues and informational needs of their clients, and that this data can be used to inform other stakeholders of emerging trends and unmet needs.
- ▶ Educational funding provided through JPIP is viewed by Indspire as contributing to increased awareness and understanding of justice issues by assisting Indigenous students in pursuing their law studies. As well, this awareness and understanding is further increased if students pursue legal careers upon graduation and pass on this knowledge and awareness to their clients.
- ▶ Projects related to family violence, violence against women, and violence against Indigenous women and girls are viewed as informing families, women, and girls as well as other stakeholders that may interact with victims of such violence on aspects of domestic violence, relationship violence, and other forms of violence. Women and girls are informed of their rights with respect to violence, and how the justice system and other services can assist them.
- ▶ Projects related to forced marriages help to raise awareness on and give attention to the issue of forced marriages, to give a greater understanding on how forced marriages intersect with the justice system, and the types of culturally appropriate supports needed related to forced marriages.
- ▶ A symposium attended by mental health and justice stakeholders shared information between stakeholders and worked to develop practical solutions, strategies, and best practices recommendations to assist frontline justice stakeholders when dealing with mental health issues in the context of the criminal justice system.
- ▶ The National Judicial Institute and the Canadian Association of Provincial Judges both provide educational programs for judges, plus the latter also serves as a disseminator of information to judges and provides advice and information to governments.
- ▶ Research and consultations undertaken by the HCCH and UNIDROIT assist member countries in gaining awareness and understanding of the cross border justice issues and the importance of developing and adopting uniform private law to resolve associated legal issues.
- ▶ The ULCC work to unify legislation across Canada increases awareness of the relevant issue across jurisdictions. For example, one specific legislation facilitated by the work of the ULCC, the *Uniform Missing Persons Act*, allows for sharing of information of missing persons by police and law enforcement authorities in different jurisdiction, and which helps to inform missing persons investigations.

Communication of project results and successes to other relevant stakeholders are an important aspect of increasing knowledge and awareness. Based on the file review, funded recipients are making efforts to share their project results, with 73% (n=19) of reviewed projects reporting that

they communicated their results.<sup>5</sup> As shown in Table 8, meetings, conferences, websites, and workshops are popular methods of informing other stakeholders of project results.

<b>Table 8: How project results were communicated – file review (n=19)</b>		
<b>Type of communication</b>	<b>Number of projects*</b>	<b>%</b>
Meetings	17	89%
Conferences	14	74%
Website	14	74%
Workshops	13	68%
Local media	9	47%
Newsletters	7	37%
Reports	6	32%
Service providing agencies	5	26%
National media	4	21%
Other	6	32%
*Not applicable to Named Grants		
Note: Projects may be applicable to more than one category; totals may sum to more than 100%.		

#### 4.3.2 Promotion of Canadian legal interests internationally

JPIP funded involvement in international fora is primarily through the ICCLR, the HCCH, and UNIDROIT. As mentioned, one aspect of ICCLR's work is with respect to international cooperation in areas of criminal law reform and criminal justice. Both the HCCH and UNIDROIT are intergovernmental organizations involved in some aspect of developing tools to harmonize international private law. The work of the ULCC can also have an influence beyond Canada when its work and initiatives originally developed for a Canadian context is introduced in international fora, such as through the HCCH. Plus, the ULCC can facilitate the implementation of internationally developed instruments in Canada. In that respect, the ULCC, and Canada's involvement in the HCCH and UNIDROIT work in a complementary fashion.

The ICCLR participates in numerous international initiatives including some with the United Nations (UN). For example, the ICCLR is one of 18 global institutes that are part of the United Nations (UN) Crime Prevention and Criminal Justice Programme, which involves conferences, information sharing, and collaborations. As part of that, the ICCLR participates in the UN's major congress on crime prevention and criminal justice, which occur every five years. The Centre will also be working on behalf of the Government of Canada and the UN to organize a meeting of experts on using restorative justice principles in criminal matters, which includes developing background information. Other examples of international initiatives the ICCLR has participated in include collaboration with the Thailand Institute of Justice on a reference tool related to justice indicators and criminal justice reform, and participation in a pan-African consultation on HIV/AIDS in prisons.

<sup>5</sup> Does not include named grants recipients; named grants reporting template does not require reporting on communication of results.

Through such participation the ICCLR is able to represent Canada's interests at the UN and to other international bodies and other countries, and to influence work being done at the international level. While the JPIP funding contributes to the operational aspects of the ICCLR, this support makes it possible for the organization to participate internationally and to attract skilled and experienced associates that take part in national and international efforts on behalf of the ICCLR. Several examples where the ICCLR has influenced international work include a UN model strategy for the protection of all forms of violence against children, the aforementioned reference tool on justice indicators and criminal justice reform that has been distributed worldwide, and a tool that is currently in development for the UN and is related to anti-corruption for law enforcement officials. As well, ICCLR has supported Canada in introducing principles on use of restorative justice in criminal matters at the UN's UN Commission on Crime Prevention and Criminal Justice.

With respect to the HCCH and UNIDROIT, as mentioned, Canada's assessed contribution for its membership in these organizations is provided through the JPIP. Furthermore, as described earlier, Canada makes other contributions to these organizations beyond the JPIP funding. The Constitutional Administrative and International Law Section (CAILS) of the Department of Justice is responsible for meeting the federal government's work requirements as part of their membership, and Canadian delegates and representative participate directly in work of the organizations.

Canada is considered an influential member of both the HCCH and UNIDROIT. Canada contributes expertise in the development of new and the operation of existing conventions, and also participates in governance aspects, thus contributing to the direction of the organizations. For example, a Canadian representative was elected as a member of the Governing Council of UNIDROIT in six consecutive elections from 1984 to 2013. As further illustration of where Canada has influenced international work, Canada will also propose new conventions. For example, Canada is credited for making the initial proposal for the work that led to the HCCH Convention of 25 October 1980 on the Civil Aspects of International Child Abduction. And, in some cases, Canadian legal policy has been able to affect the development of HCCH and UNIDROIT conventions, resulting in uniformity and predictability between international instruments and existing Canadian legal policies. One example provided by key informants of an HCCH convention originating from Canada is the Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption. An example for UNIDROIT is the 2001 Cape Town Convention on International Interests in Mobile Equipment. And out of that convention came a 2001 Aircraft Protocol that assists international financiers of equipment to recover funds in the event of a loan default.

As mentioned, the work of the ULCC also has an international influence. The UNIDROIT convention on mobile equipment, for example, began with the ULCC's work on personal property security legislation which was taken forward by Canada and introduced internationally through UNIDROIT. Another example is the ULCC's work on civil protection orders which Canada brought forward to the HCCH Conference, and where work is now currently being conducted on cross border civil protection orders at the international level.

#### **4.4 Performance – achievement of ultimate outcomes**

#### 4.4.1 Increased access to justice

Prior to making any assessments on the extent the JPIP has contributed to increased access to justice it is useful to first consider what “access to justice” means. The Canadian Forum on Civil Justice states that “access to justice refers broadly to the access that citizens have to dispute resolution tools of justice including but not limited to courts. Effective access to justice does not only refer to reductions in costs, access to lawyers and access to courts; but rather, it is a broad term that refers more generally to the efficaciousness of a justice system in meeting the dispute resolution needs of its citizens” (Canadian Forum on Civil Justice, n.d.). In that sense, one measure of the efficaciousness of Canada’s justice system in the context of the stated objectives of the JPIP is the extent that information is available to inform about the Canadian justice system. A more informed public is better able to make the appropriate decisions and take the necessary steps for resolving their legal matter, and a more informed justice system is better able to support the public with respect to their justice issues through the appropriate tools, legislation, and decision-making skills.

Concrete measures on how the JPIP directly affects access to justice are not available. As well, some key informants observed that assessing the impact of the funded initiatives on access to justice is difficult, or could be assessed through the information and supports generated. Stakeholders believe the JPIP funded initiatives contribute to informing about aspects of the justice system or in providing supports to victims and vulnerable population and thereby contribute to access to justice. Most key informants provided examples of how specific initiatives achieved their objectives and thereby contributed to access to justice. As well, from the applicant survey, almost all approved applicants (95%; n=36) said that their completed JPIP project(s) were able to almost or fully achieve their objectives, with two thirds (66%; n=25) of respondents indicating that their project(s) fully achieved their objectives.

PLEI activities, for example, inform the public on a wide range of law and justice issues including criminal, family, and civil law. Key informants believe that providing PLEI materials, tools, and resources assists the public in becoming more informed on justice issues, and their legal matter and that this assists them in achieving access to justice. In particular, this information is important to newcomers to Canada who are unfamiliar with the Canadian legal system, and to those individuals who plan or need to self-represent on a litigation matter. From the survey applicants, 70% (n=19) of applicants who were familiar with PLEI activities reported that the general public finds PLEI materials and activities useful for addressing the legal needs and concerns to either a great or very great extent and 16% (n=4) said the public finds this information useful to some extent. As well, PLEI organizations work to consult and collaborate with government and other justice service providers to inform them of access to justice issues experienced by their clients and provide a community perspective on such issues.

Projects that provide tools and resources to address the needs of women experiencing family or relationship violence and Indigenous women and girls vulnerable to violence help these women and girls gain increased knowledge and skills of their rights and how the justice system can assist them, thereby increasing their access to justice.

The work of the ULCC assists in development of uniform legislation between provinces and territories and which then creates increased consistency to how individuals are treated between

jurisdictions; more consistency creates a fairer justice system, thereby contributing to increased access to justice.

The conventions and tools developed through the HCCH and UNIDROIT contribute towards informing not only the Canadian justice system but also the justice system on a global level. The application of the conventions and tools developed through these organizations provides residents and companies of member states, including Canada, with increased access to justice in matters with a cross-border legal component. The HCCH, for example, has developed several conventions that assist parents and their children obtain access to justice such as the Child Abduction Convention. Under this convention if a child is removed to another country, such as through parental abduction, jurisdiction is provided to the courts of the child's habitual residence. If that were Canada, the child would be returned to Canada for the courts here to determine what should happen to the child. As well, several of the HCCH's conventions work in a complementary fashion. For example, in the case of a parental abduction to another country, the determination of who holds the authority to take protection measures for the child can be achieved through the Child Protection Convention. An example for UNIDROIT is the aforementioned 2001 Aircraft Protocol that facilitates Canadian airlines in arranging foreign financing for aircraft acquisition by providing these foreign investors with protection in the event of a loan default. Another, and one that is considered important to many Canadians with ties to other countries, is the Convention on International Wills that ensures wills made in one country are recognized in countries party to the convention.

While data is not available to assess if a more equitable representation of Indigenous people in the legal profession exists due to JPIP, as noted above 158 students received funding from 2012-13 to 2015-16 through the JPIP to assist them in their pursuit of a an education in law. No data is available on whether these students would or would not have been able to pursue their education in the absence of JPIP. From the Indspire case study, the overall body of students who receive funding from the Building Brighter Futures: Bursaries, Scholarships and Awards program (of which the JPIP funded LSAP program is a component) have a 93% graduation rate and 82% employment rate. These figures suggest that the JPIP funding is assisting in contributing towards a more equitable representation of Aboriginal people in the legal profession no statements can be made on the extent this is occurring.

### ***PLEI activities offered through the Access to Justice Agreements***

PLEI funding to the territories is not through JPIP but rather is through the Access to Justice Agreements (AJA) between Canada and the territories. However, the evaluation covered the PLEI component of the AJA. Below summarizes how these PLEI activities have contributed to increased information about the Canadian justice system and, therefore, increased access to justice in the territories.

- **PLEI services and activities delivered.** Examples of how PLEI is provided in the territories include through a toll free lawline, a main office in one of the territory's larger communities where drop in services are available, in-person clinics and outreach through visits to communities, provision of PLEI materials, and, in some cases duty counsel services for family and child protection related law matters. Clinics or presentations outside the main office centre are primarily by request from communities, or where court workers have been able to identify a need or interest in a community on a specific topic.



Outreach or requests for information are often in the areas of child protection, family law, housing, income support, powers of attorney matters, and wills. While some PLEI is provided for criminal matters much of this type of information and assistance is available through criminal lawyers. Court workers are considered valuable components to the delivery of PLEI. The territories are very large sparsely populated areas with remote and isolated communities. Court workers live in the communities and have established relationships with community residents. Court workers can assist residents with accessing PLEI materials, inform PLEI staff of justice needs of communities, and provide interpreter services.

- **Challenges in delivering PLEI services and gaps in services.** The large geographical areas of the territories populated by small, remote, and poorly serviced communities are one of the main challenges in delivering PLEI services in the territories. The distance to communities that mainly have to be accessed by air transportation makes it difficult and costly to provide in-person services. While one service mentioned striving to ensure a visit to each community to become acquainted with the communities, visits for specific services are largely through requests by the communities. For example, elders or community leaders will request a workshop or presentation on an area of law where there is a perceived need. Or, as mentioned, court workers will identify the interest or need in a community and inform PLEI staff.

Language and cultural barriers are another main challenge. In-person sessions to give communities an opportunity to become acquainted with the PLEI staff is considered helpful for overcoming cultural barriers and assisting residents in gaining increased comfort in reaching out for information. As well, court workers are considered important for assisting in bridging the cultural gap and providing interpreter services. However, there are limited numbers of court workers available, with each worker having responsibility for a region of the territory. While one comment made that some effort is made to provide materials in Indigenous languages, their territory has many official languages beyond English and French. Furthermore, internet services are poor in many of the communities, plus the costs of owning a computer and accessing the internet are prohibitive, with the result that many residents cannot access forms and information available online. As well, many of the communities have no courthouse and few other support services that could provide materials.

Challenges to residents in accessing justice are that there is a lack of lawyers and, in particular, a lack of lawyers available to take on family matters and civil law matters. As a result, many individuals must self-represent in such matters, making assistance from PLEI services critical.

#### **4.4.2 Strengthened Canadian legal framework**

The JPIP contributes to a strengthened legal framework through the positive influence that funded initiatives have on informational, policy, procedural, or legislative changes that provide Canadians with greater access to justice. Each of the various types of JPIP initiatives can be viewed as contributing to this strengthened legal framework in one or more manners. This could be through providing information and supports to clients that inform them of their rights and gain

a greater comfort level with the legal framework. As well, through collaborations and communications, the various funded initiatives share information with other justice stakeholders, including with the Department of Justice, that help to identify gaps, emerging trends, and unmet needs, and that can assist in informing and influencing programming, policy, and legislation, including greater harmonization of legislation. These actions all lead to a strengthened Canadian legal framework. Some specific examples of how the various initiatives have contributed to the legal framework are further discussed below.

Key informants provided several examples of how JPIP funded projects have contributed to the legal framework, including:

- ▶ Reports on results of funded initiatives related to violence against Indigenous women and girls are shared within the Department and help to identify issues and underlying factors affecting vulnerable populations, such as Indigenous women and girls, women experiencing family violence, or women new to Canada, and this information contributes to planning and informs policy. As well some of this work is credited for influencing the federal government's inquiry into missing and murdered Indigenous women.
- ▶ PLEI organizations assist the public to gain a better understanding of the legal system and on how to access the legal system more effectively. PLEI key informants believe that this increases the public's acceptance and confidence in the country's legal system. PLEI organizations also participate in consultations with other justice stakeholders on issues related to access to justice and that are intended to lead to changes that will strengthen the legal framework at both the provincial and federal level.
- ▶ Several of the funded initiatives observed their organizations have provided input to the federal government in the area of development of marijuana legislation and regulations for Canada.
- ▶ The ICCLR has conducted considerable work in the area of restorative justice, beginning with a organizing the first national conference in Canada on restorative justice in 1998. Much of this work has informed policy and practices.
- ▶ The Law Amendments Committee of the Canadian Association of Chiefs of Police provides advice and guidance to the federal government on a number of matters of relevance and priority. Such information is used by government for informing policy, legislation and regulations which, in turn, affect access to justice.
- ▶ The recommendations stemming from the project on Addressing Forced Marriages in Canadian Context addressed changes needed to the legal framework to be more supportive to victims of forced marriages, particularly with respect to criminal, civil, and immigration legislation.

As well, the work of the ULCC, the HCCH, and UNIDROIT contribute towards harmonized legislation, which further strengthens the legal framework. The work of the ULCC assist in development of uniform legislation between provinces and territories and which then creates greater increased consistency to how individuals are treated between jurisdictions. For example, the *Uniform Child Status Act*, provides basic rules for determining the parentage of children, and

which encompasses assisted reproduction. From key informant interviews, Parliament requested the ULCC to work towards uniform legislation in this matter that was not within federal legislative authority and a number of jurisdictions have adopted the legislation.

The work of both the HCCH and UNIDROIT focuses on development of conventions and instruments for the unification and harmonization of international private law. Such harmonization enhances the ability of Canadians and Canadian companies affected by cross border legal to achieve access to justice. Furthermore, as described earlier, for both the HCCH and UNIDROIT, Canada has been able to propose and affect development of new international instruments that align well with existing Canadian policy. The HCCH has adopted 38 conventions of which Canada is party to four, including the following:

- ▶ Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters
- ▶ Convention of 25 October 1980 on the Civil Aspects of International Child Abduction
- ▶ Convention of 1 July 1985 on the Law Applicable to Trusts and on their Recognition
- ▶ Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption<sup>6</sup>

UNIDROIT has conducted close to 70 studies and projects, which have resulted in a series of international instruments, including 13 international conventions and model laws. Examples provided of some UNIDROIT instruments that are viewed as benefitting from Canada's involvement include the following:

- ▶ 1973 Convention Providing a Uniform Law on the Form of an International Will
- ▶ 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects
- ▶ 2001 Cape Town Convention on International Interests in Mobile Equipment and its 2001 Aircraft Protocol
- ▶ 2007 Luxembourg Rail Protocol
- ▶ 2009 Space Protocol
- ▶ 2009 Geneva Convention on Intermediated Securities
- ▶ A first preliminary draft of a fourth Protocol to the Cape Town Convention on International Interests in Mobile Equipment on Matters Specific to Agricultural, Construction and Mining Equipment

And, as noted previously, when the subject matter of the international instruments falls under provincial authority, the ULCC assists in the adoption and implementation of international instruments in Canada by working towards adoption of uniform legislation at the provincial level.

#### **4.4.3 Contributing/constraining factors to achieving outcomes and unexpected outcomes**

In all lines of evidence, partnerships and collaborations are viewed as one of the main contributing factors to success of JPIP funded initiatives. Key informants mentioned the value of having partnerships and relationships with other organizations, in that these provide access to

<sup>6</sup> <https://www.hcch.net/en/states/hcch-members/details1/?sid=28>

expertise and other in-kind resources, as well as avenues for networking and disseminating and sharing information and expanding the reach of the initiative in terms of accessing clients and other relevant stakeholders. Other identified success factors at the initiative level include:

- ▶ When the program is able to build on and draw from existing resources rather than having to duplicate efforts.
- ▶ Having dedicated volunteers and staff members to draw on
- ▶ Implementing strategic careful planning for the initiative

Several program level attributes were also considered to facilitate achievement of outcomes, including the following:

- ▶ Careful assessment of project applications using a defined set of criteria to ensure organizations have the capacity, expertise, and partnerships to undertake the initiative.
- ▶ Making use of longer term funding periods, such as through grant funding; this creates more certainty for organizations and allows for more effective planning
- ▶ Requiring a reasonable amount of regular reporting of recipients which provides a framework for accountability but does not place undue reporting burdens on recipients

Any identified constraints to achieving outcomes were mainly related to resources. The \$1 million reduction of JPIP funding due to the 2012 DRAP measures has required a reduced scope for the program as well as a reduction in the number of projects that can be funded. As a result, the program may not be able to address some emerging priorities. Long-term recipient organizations also observed that their funding levels have not changed for many years, despite, for some, increasing demands for service, or a greater demand than they had anticipated.

The evaluation revealed few unexpected outcomes other than a higher level of demand for the funded initiative's services or outputs than expected, or that the initiative was able to tap into unexpected resources or networks.

## **4.5 Performance – efficiency and economy**

THIS SECTION WILL BE EXPANDED/REVISED ON RECEIVING REMAINING PROGRAM FINANCIAL INFORMATION

### **4.5.1 Efficient resource utilization**

One indicator for efficient resource utilization is the extent to which the resources support the achievement of results which, on an individual JPIP initiative basis, considers whether objectives are being achieved and target audiences are being reached. Almost all survey respondents (95%, n=36) that had an approved JPIP initiative said their project had either fully achieved or achieved almost all their objectives or were expected to do so on completion. As well, most (84%, n=32) respondents reported they were able to reach their intended target audience to a great or very

great extent. Furthermore, almost all (84%, n=26) projects reviewed for the file review reported achieving some category of results (e.g. new information or skills, increased awareness, best practices, etc.), although there was no measure available as to the extent they achieved their expected results.

This reported level of achievement coupled with the relatively modest amount of funding available to allocate to a wide range of topics and objectives, suggests the JPIP funding has been able to make effective use of available resources to achieve results. Some key informants attribute this to the initiatives' abilities to draw on other sources of cash and in-kind funding that augments and builds on the funds available through the JPIP. In particular, and as noted previously, the in-kind resources in the form of expertise and knowledge are viewed as making substantial contributions to initiatives that assist them in achieving positive results. Some key informants commented specifically on the JPIP initiatives' ability to make significant accomplishments with a relatively small amount of funding due to their ability to leverage funding and in-kind contributions from other sources and that the JPIP funding adds credibility to the initiative and assists in leveraging other resources. For example, one PLEI organizations estimates they are able to leverage \$1.56 in cash funds for every JPIP dollar, and that some of these funds are contingent on receiving JPIP funding. And a few key Department stakeholders mentioned that while JPIP funding represents a relatively small amount of federal money, it is used to bolster or add to the budgets and activities of well-placed and carefully screened initiatives that align with the priorities of the program, are accustomed to operating on a small budget, and are able to access these other resources. Key informants were not able to identify more cost effective approaches to achieving the program objectives.

#### **4.5.2 Efficient and economic management**

Several measures have been put in place for efficient management of the JPIP, some of which have been discussed in previous sections. Department stakeholders view the use of standardized funding applications and a formalized method and set of criteria for reviewing proposals as an effective and efficient approach for allocating available JPIP funds. Recipient key informants reported that the funding application was user friendly, straightforward, "very manageable", and asked good questions. They also appreciated that applications could be tailored to address the specific program objective the project is intending to address. Survey respondents, which included applicants with approved and/or unapproved applications, also showed a high level of satisfaction with the application process, with close to three quarters and more being satisfied or very satisfied with most elements of the application process shown in Table 9. Most key informants had positive comments about the application process and believed the process has improved over the past several years.

Several recipient key informants commented on the responsiveness of JPIP program staff, such as for addressing questions, and also appreciated that they were able to deal with the same program staff person on an ongoing basis. As shown in Table 9, 92% of survey respondents were also satisfied or very satisfied with the ease of interaction with JPIP representatives.

<b>Table 9: Satisfaction with the JPIP application process, approved and unapproved applicants</b> <i>Q36: How satisfied are you with each of the following with respect to the application process?</i>				
Elements of the JPIP application process	Level of satisfaction..... (n=46)			
	Satisfied/very satisfied %	Neither satisfied nor dissatisfied %	Dissatisfied/very dissatisfied %	Don't know %
The ease of interactions between applicants and JPIP representatives	92%	13%	6%	9%
The ease of the application process	80%	4%	7%	9%
The type of information required in the application form	78%	7%	4%	11%
The clarity of the application process	76%	9%	7%	9%
The timeliness of responses to your queries or communications with Justice Canada	72%	9%	11%	9%
The appropriateness of selection criteria	72%	9%	8%	11%
The timeliness of communication about the status of your application (approval decisions)	65%	11%	15%	9%
Note: Totals may not sum to 100% due to rounding. Caution: small sample size				

A few key informants believe the application process is still too cumbersome or that there is still a level of uncertainty within the current process. For example, delays in the application process leaves organizations uncertain about whether their projects will go forward, or if their project is approved, they are uncertain when the funding will be released. This situation makes it difficult for organizations to plan for staffing needs and can leave non-profits – which operate with little surplus – cash strapped. From the survey of applicants, this is the element of applications that had the lowest proportion of applicants that were satisfied/very satisfied, although this still represented 65% of respondents, while 26% said they were either neither satisfied nor dissatisfied or that they were dissatisfied/very dissatisfied (see Table 9).

The evaluation found a fairly high level of satisfaction also exists with management of the JPIP program, which can be viewed as another an indicator of efficient and effective management. As shown in Table 10, 79% to 90% of survey respondents with an approved application were satisfied with various elements of program management related to reporting requirements and funding period and /payments.

<b>Table 10: Satisfaction with the JPIP funding, project management, and reporting process, approved applicants</b>				
Elements of the JPIP funding, project management, and reporting process	Level of satisfaction..... (n=38)			
	Satisfied/very satisfied %	Neither satisfied nor dissatisfied %	Dissatisfied/very dissatisfied %	Don't know %
The timeliness of payments	90%	3%	3%	5%

The funding reporting requirements	87%	5%	3%	5%
The assistance received from JPIP representatives for meeting reporting requirements	84%	5%	0%	11%
The time period of funding awarded	79%	8%	8%	5%
The amounts awarded	63%	8%	24%	5%
Note: Totals may not sum to 100% due to rounding. Caution: small sample size				

A few recipient organizations commented that the reporting process has improved over the last several years. The program uses standard project summary reporting templates, with one template for named grants and one for other recipient types. The file review also considered the extent that recipient reporting reflects the requirements of the reporting templates. Consistent means of reporting contributes to a more efficient and consistent process for assessing reports for achievement of results. Almost all (n=27; 87%) of the funding recipients followed the JPIP reporting templates with the exception of Named Grant projects; while most Named Grants did submit final reports, they were very brief and did not include the required information to address the questions in the template. As a result, the information collected on Named Grants is very limited. Other funding recipient types provided very detailed summary reports that followed the JPIP template. Although the template appeared to evolve over the course of the evaluation period, the information gathered was very similar.

Key informants identified several practices that they believed contributed to more efficient and effective reporting, including providing recipients reminders when reporting is due, reducing the number of required reports (a few recipient organizations reported that they were only required to report annually), and having the ability to use reporting that had already been prepared for other funding sources. A few other key informants reported challenges with the reporting process, such as having insufficient time to submit reports, and not being granted an extension to provide additional time.

#### 4.6 Implementation of recommendations from previous evaluation

The evaluation was also to consider the extent that recommendations from the 2011 JPIP evaluation have been implemented. The previous evaluation made two recommendations; these recommendations and management's response to the recommendations are provided below.

***Recommendation 1: Streamline the objectives to focus on the primary goals of the Program.***

***Management Response:*** Agree. The objectives of the Program will be reviewed and streamlined to facilitate an understanding of what the Program aims to achieve and to ensure continued alignment with government priorities.

***Recommendation 2: Strengthen performance measurement by requiring funded organizations to collect some data from beneficiaries as a part of the funding agreement.***

*Management Response: Agree. A participant conference survey tool has already been developed and used. Program managers will be reminded of the importance of ensuring that funding recipients provide this data to the Department when submitting a final project report. The information thus collected will feed into the overall Program performance measurement as well as into the performance measurement of each of the Program's components.* (Department of Justice, 2012, p. 51)

From internal documentation the Department has responded to both recommendations. The JPIP terms and conditions and Performance Measurement Strategy were revised, particularly to reflect the loss of \$1million in funding due to the Deficit Reduction Action Plan.

With respect to recommendation 1, the JPIP objectives were revised in the context of these changes but also to ensure that the objectives reflected all JPIP funded activities. Key informants reported that as well as redesigning program objectives, a target was added for international organizations, and outdated goals were removed and relevant goals were retained.

With respect to recommendation 2, a management update on actions noted that while a survey tool was developed to capture input from JPIP funded conferences, fewer projects were being funded due to the funding reduction. The bulk of available funds were dedicated to support core funding to PLEI organizations and ICCLR, and to named grants and the LSAP program. Key informants reported that the program worked with the evaluation division to review and amend its performance measurement strategy so indicators were measurable and more accurate. Key informants also commented that performance measurement has been improved by asking organizations to provide interim reporting and by ensuring organizations are providing feedback from participants and beneficiaries, or post-program evaluations from clients. However, most of this information is captured within recipient reports and is not aggregated or reported on at a JPIP program level.

## **5.0 Conclusions**

### **5.1 Relevance**

#### ***Continued need for the JPIP***

The evaluation found a continued need for the types of initiatives funded through the JPIP. All key informants believe the JPIP is still relevant and is needed. Family violence and violence against Indigenous women and girls are ongoing and important issues in Canada that require addressing. Providing financial assistance to Indigenous students in their pursuit of a law career is important for contributing towards efforts to reduce the current educational disparities that Indigenous students experience and also contribute towards addressing the recommendations of the Truth and Reconciliation Commission of Canada.

Stakeholders all identified a need for continued efforts to build knowledge, awareness, and understanding around justice issues. Such knowledge building activities are important to assist the public in understanding the justice system and Canadian laws in general, as well to inform both the public as well as the justice stakeholders on specific justice-related issues, such as family violence. It is also important to undertake such knowledge building efforts in a variety of



formats in order to ensure accessibility to a wide range of audiences and abilities. Similarly, identification of emerging trends, issues and/or gaps is critical for informing the justice system and to contribute to ongoing improvement of Canada's justice system.

Given the broad objectives of the JPIP, the wide array of initiatives funded and activities undertaken by funded initiatives, the JPIP strives to be responsive to the needs of Canadians. As well, the evaluation found that funded activities have a wide reach with respect to the types of target audiences and beneficiaries, with many targeting Indigenous people, youth, victims of crime, justice stakeholders/professionals, women and girls, and visible minority groups.

### ***Alignment of the JPIP with government priorities and federal roles and responsibilities***

The JPIP aligns well with government priorities, contributing to the Department's strategic outcome for a fair, relevant, and accessible Canadian justice system and in support of the Government of Canada's priority outcome for a safe and secure Canada. Specific objectives of the JPIP can be aligned with government priority areas, such as the *National Inquiry into Missing and Murdered Indigenous Women and Girls*, the *Action Plan to Address Family Violence and Violent Crimes Against Aboriginal Women and Girls*, as well as with departmental policy areas related to family law, human rights law, public law, private international law, and Aboriginal justice.

The JPIP aligns with federal roles and responsibilities as articulated by the *Department of Justice Act* and the roles and responsibilities of the Minister by way of the Department. The JPIP and the various initiatives undertaken through JPIP funding can be viewed as contributing to the defined roles of the Department and particularly with respect to the roles as a policy department and for supporting the Minister in advising Cabinet on all legal matters.

## **5.2 Performance – achievement of outcomes**

### ***Increased capacity of stakeholders for building knowledge, awareness and understanding***

The JPIP is important and often critical to funded recipients to assist with core operations and undertake both ongoing and new activities, and in general to increase their capacity to offer services and activities that contribute to building knowledge, awareness, and understanding of justice issues. The evaluation found that without the JPIP funding, most recipients would not be able to offer the same level of services or would not be able to participate in the JPIP funded activities at all. The JPIP funding also assists recipients with leveraging funds and in-kind resources from other partners; for some these other funds/resource are contingent on the recipient also receiving JPIP funding.

The JPIP assists recipient in increasing their capacity through a variety of means such as through: expanding services and activities; expanding the number and/or types of clients served; undertaking research and projects for developing tools and resources; providing training, tools, and resources to other organizations that in turn have increased capacity to serving their clients; and developing resources and supports that increases the capacity of the target group to address their justice-related issues.

JPIP recipients develop important partnerships that also contribute to increased capacity, with most recipients having some type of partnership and all being satisfied or very satisfied with their partnerships. While some partners provide cash funds, most provide some type of in-kind resource, primarily in the form of human resources and expertise and advice. In particular, recipients value the partners for the expertise and advice they contribute towards assisting in developing and delivering resources, tools, and programming. As well, partners' often come with their own networks and associations that further expands the reach of the initiative.

### ***Increased awareness and knowledge of the Canadian justice system***

Most, if not all, of the activities that JPIP recipients take part in can be viewed as knowledge and awareness building activities. This includes, for example, such activities as offering workshops, conferences, symposia and training sessions; conducting pilot, demonstration, or research projects; or offering PLEI related services and activities, such as call-in lines, developing and distributing pamphlets and other informational materials, and informational sessions. As well, a small number of specific recipients take part in promotion of increased harmonization of legislation and/or international cooperation on justice issues. Such activities are targeted to either the general public, justice stakeholders, specific vulnerable populations, or other organizations and providing services to similar clients as JPIP recipients.

The evaluation found that JPIP funded initiatives do promote awareness and knowledge of justice-related issues. No specific measures of increased knowledge and understanding are available though, plus increased knowledge and understanding are qualitative aspects that would be difficult to measure, particularly considering the broad range of activities the JPIP funds and the diversity of the target audiences for the various initiatives. However, recipients report positively on their activities' contribution to increased knowledge and understanding of justice issues. For example, 60% and more of applicant survey respondents believe their JPIP funded initiative contributed to each of the JPIP's four knowledge/awareness-based objectives to a great or very great extent, and 82% and more said to at least some extent. As well, based on the file review, most projects report that their funded activities resulted in new information, new skills, or changed awareness.

PLEI organizations, for example, report receiving positive feedback from clients on the helpfulness of the PLEI activities and services. Financial assistance to Indigenous students assists these students in gaining awareness and knowledge of the Canadian justice system through their law studies. Projects related to family violence, violence against women, and violence against Indigenous women and girls informs women and girls of their rights with respect to violence, and how the justice system and other services can assist them. The ULCC's work to unify legislation across Canada increases awareness of the relevant issue across jurisdictions, while the work of the intergovernmental organizations, the HCCH and UNIDROIT assist governments and legislators in gaining a better understanding of cross border matters, as well as members of the Canadian public and Canadian companies affected by such matters.

### ***Promoting Canadian interests internationally***

Promotion of Canadian interests internationally by JPIP recipients is achieved primarily through the ICCLR, the HCCH, and UNIDROIT. The ICCLR participates in numerous international initiatives, including some with the United Nations, and represents Canada's interests and

imparts a Canadian influence in such initiatives. The Department of Justice is responsible for Canada's membership in the HCCH and UNIDROIT, and does so through JPIP funds, with this membership providing Canada with the ability to participate in and influence the work of both these organizations. Beyond the JPIP funds, Canada makes contribution to both organizations through Canadian representatives' involvement in HCCH and UNIDROIT activities. Canada contributes expertise in the development of new and the operation of existing instruments, and also participates in governance aspects, thus contributing to the direction of the organizations. As a result of this involvement and the assessed contribution provided by the JPIP, Canada is considered an influential member of both the HCCH and UNIDROIT.

As well, the work of the ULCC also has an international influence when its work and initiatives originally developed for a Canadian context is introduced in international fora. For example, some legislation initially developed for Canada was taken forward to the HCCH and UNIDROIT by Canada and became the basis of international instruments in those organizations. Plus, the ULCC can facilitate the implementation of internationally developed instruments in Canada.

### ***Increased access to justice***

Stakeholders report that the funded initiatives are providing information, services, and other activities that contribute to the knowledge, understanding, and skills of the public, vulnerable populations, justice stakeholders, and other services providers with respect to the Canadian justice system. This improved knowledge, understanding, and skills in turn lead to increased access to justice. PLEI activities, for example, contributes to a more informed public who are then better able to make the appropriate decisions and take the necessary steps for resolving their legal matter. A more informed justice system is better able to support the public with respect to their justice issues through the appropriate tools, legislation, and decision-making skills. JPIP projects also provide tools and resources to assist vulnerable populations in gaining the knowledge and skills on their rights and how the justice system can assist them in exercising their rights. Initiatives through the ULCC that bring about uniformity in legislation between provinces contributes to improved consistency across the country with respect to how the justice system treats individuals and creates a fairer justice system. And the implementation of instruments developed through international organizations such as the HCCH and UNIDROIT inform justice systems on a global level and provide residents and companies of member states, such as Canada, with increased access to justice on cross-border legal matters.

The evaluation also considered PLEI funding to the territories that is provided not through JPIP but through the Access to Justice Agreements between Canada and the territories. Such PLEI activities are important as a component of access to justice to residents in the territories as these are usually the only available source of PLEI activities in the territories. Because the PLEI activities are usually delivered out of one main office within each territory that cover a large and remote geographical area, delivery agents make use of a variety of means to make their materials and services accessible to residents. This could be through a toll free lawline, drop-in services, in-person clinics, printed and online PLEI materials, use of court workers in communities, and outreach to communities. However, delivery is challenged by the large geographical areas of the territories populated by small, remote, and poorly serviced communities, with most accessible only by fly-in services and, for some, by boat during small ice free windows of time. Language and cultural barriers are another main challenge, plus accessing materials online is often difficult

as internet services are poor in many communities and the costs of owning a computer and accessing the internet are prohibitive.

### ***Strengthened Canadian legal framework***

The JPIP contributes to a strengthened legal framework through the positive influence that funded initiatives have on informational, policy, procedural, or legislative changes that provide Canadians with greater access to justice. Each of the various types of JPIP initiatives can be viewed as contributing to this strengthened legal framework in one or more manners. PLEI organizations, for example help to increase the public's comfort level with and acceptance of the Canadian legal system by assisting the public gain a better understanding of how to effectively access the legal system. Through collaborations and communications, the various funded initiatives share information with other justice stakeholders, including with the Department of Justice, that help to identify gaps, emerging trends, and unmet needs, and that can assist in informing and influencing programming, policy, and legislation, including greater harmonization of legislation. These actions all lead to a strengthened Canadian legal framework. As well, the work of the ULCC, the HCCH, and UNIDROIT contribute towards harmonized legislation, which further strengthens the legal framework.

## **5.3 Performance – demonstration of efficiency and economy**

CONCLUSIONS TO BE ADDED ON EFFICIENCY AND ECONOMY ON RECEIVING  
PROGRAM FINANCIAL INFORMATION

## **6.0 Recommendations**

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## **Appendix A – JPIP logic model and evaluation matrix**

TO BE ADDED WITH FINAL



## **Appendix B – Data collection instruments**

TO BE ADDED WITH FINAL